

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

C.K.,

Plaintiff,

v.

ROWAN UNIVERSITY, et al.,

Defendants.

No. 23-cv-0968

**ORDER
TO SHOW CAUSE**

THIS MATTER comes before the Court by way of a Notice of Removal filed by Defendants, Rowan University (“Rowan”) and Pi Kappa Alpha International Fraternity, Inc. (“Pi Kappa”), (ECF No. 1), to remove this action from the Gloucester County Superior Court of New Jersey where it was originally filed; and

WHEREAS Defendants Rowan and Pi Kappa allege in its Notice of Removal that removal is proper pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446; and

WHEREAS 28 U.S.C. § 1446(b)(2)(A) requires that “all defendants who have been properly joined and served must join in or consent to the removal of the action”; and

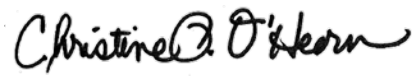
WHEREAS 28 U.S.C. § 1446(b)(2)(B) requires that Defendants Oluwatomiwa Adewusi and Pi Kappa Alpha Fraternity – Local Chapter MU Alpha at Rowan University, join in or consent to removal within thirty days of receipt or service of the initial complaint, which has since expired; but

WHEREAS there is no evidence that either Defendant was served with or otherwise notified of the filing of a Notice of Removal to this Court and in fact, the Notice of Removal explicitly states that neither party has consented to the removal, the Court is unable to determine

whether removal is proper under 28 U.S.C. § 1446(b) and § 1332; therefore,

IT IS on this 23rd day of February 2023,

ORDERED that Defendants Rowan and Pi Kappa shall show cause as to why this matter should not be remanded within seven (7) days of this order or, if appropriate, file an amended notice of removal to comply with 28 U.S.C. § 1332 and 1446(b)(2)(A), failure to do so will result in this matter being remanded.

A handwritten signature in black ink, reading "Christine P. O'Hearn". The signature is fluid and cursive, with the first name "Christine" and last name "O'Hearn" clearly legible.

CHRISTINE P. O'HEARN
United States District Judge